

AN ORDINANCE 101478

AN ORDINANCE APPROVING THE FULL AND FINAL SETTLEMENT OF THE ADMINISTRATIVE APPEAL STYLED *ZALMAN RESOURCES, INC. AND MARK ABDELHAK V CITY OF SAN ANTONIO*, CAUSE NO. 2000-CI-00604 IN THE AMOUNT OF \$115,500.00.

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WHEREAS, Plaintiffs filed suit against the City of San Antonio in the matter styled *Zalman Resources, Inc. et. al. v City Of San Antonio*, Cause No. 2000-CI-00604 alleging a taking of their property due to the denial of permits allowing use of the property as a mobile home park; and

WHEREAS, Plaintiffs were unable to operate their business for a period of seventeen months; and

WHEREAS, through mediation the parties reached a proposed settlement of this dispute in the amount of \$115,500.00 to be paid to Plaintiff, CoSA will restore all permits for mobile home spaces that Plaintiff may lawfully have on his property, and Plaintiff will execute a gift deed of a 2.5 acre tract of property to City, **NOW THEREFORE**:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1: The settlement of the lawsuit styled *Zalman Resources, Inc. and Mark Abdelhak v. City of San Antonio*, Cause No. 2000-CI-00604 is hereby approved and the amount of \$115,500.00 shall be paid to Plaintiffs from the Self Insured Fund.

SECTION 2: The amount of \$115,500.00 is authorized to be paid from Fund 75-001000, Insurance Reserve Fund, in G/L 5402530, entitled General Liability Claims, in Cost Center 1009020001, and made payable to Zalman Resources, Inc. and Mark Abdelhak and their attorney of record, Mayo Galindo.

SECTION 3: The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director, may subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 4: This Ordinance shall be effective on the tenth day after passage hereof.

PASSED and APPROVED this 29th day of September, 2005.

ATTEST:


City Clerk


M A Y O R
PHIL HARDBERGER

APPROVED AS TO FORM:


Acting City Attorney